GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3034
ANSWERED ON:07.12.2000
POSTPONEMENT OF HEARINGS
RASHID ALVI

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Government are aware that it has become a routine affair to postpone hearing; and

(b) if so, the details of the corrective steps proposed to be taken in the matter?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) & (b): Both the the Government and Judiciary are concerned with the postponement of hearings. The Civil Procedure Code (Amendment Bill) 1999,inter alia, stipulates that the court may postpone the hearing of the suit to a day not later than seven days from the date of first hearing and that adjournments shall not be granted more than three times to a party during hearing of the suit. The relevant amendments are awaiting government notification.

Justice Malimath Committee had also pointed out that granting of unnecessary adjournments is one of the factors which contribute to accummulation of arrears. Pursuant to these recommendations, the High Courts of Punjab and Haryana, Orissa,Gujarat,Andhra Pradesh, Himachal Pradesh, Madras, Patna,Gauhati, Rajasthan, Sikkim, Allahabad and Bombay have informed that they have taken necessary steps to discourage granting of adjournments by courts.